



The Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Chambers

Tribal Council Regular Meeting Agenda
Thursday, August 23, 2018
9:00 a.m.

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

1:30 p.m. Anishinaabemowin by Wasson (as available)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call Vote:
4. Motion to Adopt the Agenda of August 23, 2018
5. **Motion** to dedicate this meeting in honor the following Tribal Citizens who have walked on: Geraldine Kilmer and Joey Schrader.
6. Review and Approve Minutes of August 9, 2018
7. Introduction of new Tribal Government Employees: Behavioral Health Master's Level Counselor Jeannie Norris and Suicide Outreach Specialist Corey Bennington; Medical Assistant's Michelle Alcazar and Emily Connors; Central Registration Clerk Ashley Keller, Treaty Rights Enhancement Specialist Dan Hinmon and Human Services Generalist Brian Dominic.
8. **9:30-10:45 a.m.** Sovereign Finance presentation by Chuck Freemont and Courtney Monterio.
9. **10:45 a.m.** Tribal Historic Preservation Officer-Discussion on MKD meeting at Wilderness State Park regarding the Garden Island Cemetery.

Motion to acknowledge Tribal Historic Preservation Officer Wes Andrews verbal report as presented on August 23, 2018.

10. Executive Oversight Report

Motion to accept the verbal and written Executive Oversight Report for August 23, 2018.

11. Tribal Council Officer Reports:

a. Legislative Leader Report

Motion to accept the verbal report from Legislative Leader Fred Harrington Jr. for August 23, 2018.

b. Secretary Report

i. Documents Delivered to the Executive

-Waganakising Odawak Statute Amendment to Waganakising Odawak Statute # 2008-011 Fair Employment was delivered to the Executive for signature on 07/31/18-the Executive signed on 08/15/18.

-Waganakising Odawak Statute Human Trafficking Statute was delivered to the Executive for signature on 07/31/18-the Executive signed on 08/15/18.

-Waganakising Odawak Statute Sex Offense was delivered to the Executive for signature on 07/31/18-the Executive signed on 08/15/18.

*-Waganakising Odawak Statute Odawa Construction Corporation was delivered to the Executive for signature on 07/16/18-**Enacted without signature on 08/15/18.***

*-Waganakising Odawak Statute Odawa Economic Affairs Holding Corporation was delivered to the Executive for signature on 07/16/18-**Enacted without signature on 08/15/18.***

*-Waganakising Odawak Statute Odawa Aviation Corporation was delivered to the Executive for signature on 08/10/18-**PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 09/10/18).*

ii. Vetoes: *(a vote of Tribal Council to override a veto shall occur within 90-days of the veto):*

*-Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets was delivered to the Executive for signature on 05/07/18-was **VETOED** on 06/06/18.*

(NOTE: the budget was referred back to the Appropriations and Finance Committee)

*-Waganakising Odawak Statute Gaming Authority was delivered to the Executive for signature on 07/13/18-was **VETOED** on 08/10/18.*

Motion to override Executive Veto of Waganakising Odawak Statute Gaming Authority.
(An affirmative vote of seven (7) Tribal Council members can override a veto)

iii. Phone Polls passed by Tribal Council: none

Motion to accept Secretary Kiogima's verbal and written report as provided on the agenda for August 23, 2018.

c. Treasurer Report

i. Appropriations and Finance Committee

-Last Meeting: August 14, 2018.

(Motions made at Appropriations and Finance Committee Meeting)

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 082318-01 Funding renewal from the U.S. Department of Health and Human Services, Indian Health Service, Little Traverse Bay Bands of Odawa Indians FY 2018 Annual Funding Agreement, Mod 18-1 Funding Increase.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 082318-02 Funding the United States Department of the Interior, Bureau of Indian Affairs, P.L. 93-638 Annual Funding Agreement, 2018 Law Enforcement Annual Contract, Funding Increase.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 032318-03 Request to accept funds from the Administration for Children and Families, FY 2017-2019 Child Care Development Fund, FY 2018 Funding Increase.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to adopt Tribal Resolution Re-Appropriation of the Odawa Economic Development Management, Inc (OEDMI) Line of Credit.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend Tribal Council to override the Executive Veto of Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets.

Discussion: Cost of having a 2nd Administrator for Indirect Services and Language instructor funding as funds are not readily available for additional funding in 2019.

Vote: 2-yes, 1-no (Treasurer Reyes), 0-abstain, 0-absent

Motion carried.

06/06/2018 Executive VETO of Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets as reviewed by the Appropriations and Finance Committee Meeting on August 14, 2018.

A vote of Tribal Council to override a veto shall occur within 90-days of the veto...

OPTION 1:

Motion to override Executive Veto of the Appropriation of Funds for the 2019 Fiscal Year Operating Budget.

The Fiscal Year 2019 Tribal Budget Process is regulated by Waganakising Odawak Statute #2018-005 and #2015-016 Tribal Government Formulation and Modification Statute:

- *Section VIII, Approval Process (7) "Tribal Council may enact a budget by either overriding the veto by an affirmative vote of seven (7) Councilors..."*

OR

OPTION 2:

Motion to adopt the Executives submitted Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets.

The Fiscal Year 2019 Tribal Budget Process is regulated by Waganakising Odawak Statute #2018-005 and #2015-016 Tribal Government Formulation and Modification Statute:

- *Section VIII, Approval Process (7), "...or alternatively enact the Chair's submitted signed Tribal Resolution with the proposed budget by an affirmative majority vote of Tribal Council. In enacting the Chair's proposed budget, Tribal Council shall approve it as presented and shall not make any changes, additions or deletions to the proposed budget."*

OR

The Amended Fiscal Year 2018 Governmental Budgets will automatically be enacted if no other action taken by Tribal Council as the Fiscal Year 2019 Tribal Budget Process is regulated by Waganakising Odawak Statute #2018-005 and #2015-016 Tribal Government Formulation and Modification Statute:

- *Section XIII, Approval Process, 8, "If the veto is not overridden within the time period as set forth in the Administrative Procedures Act, nor has Tribal Council approved the Chair's proposed budget, the last enacted budget will take effect at the beginning of the fiscal year."*

-Next Meeting: September 18, 2018 at 9:00 a.m. in Council Chambers.

Phone Polls passed by Appropriations and Finance Committee: none
(The 07/30/18 AFC Phone Poll was presented to Tribal Council on 08/09/18.)

Motion to accept the Appropriation and Finance Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chairperson for August 23, 2018.

ii. Land and Reservation Committee

-Last Meeting: August 3, 2018.

(Motions made at Land and Reservation Committee Meeting)

-Next Meeting: Friday, August 31, 2018 at 9:00 a.m. in Council Chambers.

Phone Polls passed by Land and Reservation Committee:

*-08/17/18 Motion to cancel and reschedule the September 7, 2018 Land and Reservation Meeting at 9:00 a.m. to Friday, August 31, 2018 at 9:00 a.m.
Comments: none
Phone Poll Results: 3 Yes, 0 No, 0 Abstained, 0 Absent
Motion carried.*

Motion to accept the Land and Reservation Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chairperson for August 23, 2018.

12. Tribal Council Member Reports:

13. Legislative Office Reports:

14. Office of Finance and Revenue: Wells Fargo Treasury Management Pricing.

Motion to accept Sr Financial Analyst Rachel Cope's verbal and written report as presented on August 23, 2018.

Motion to acknowledge receipt of the July 2018 Update and Financial Reports for Odawa Casino Resort as provided by Sr Financial Analyst Rachel Cope.

15. Legislative Services Attorney

Motion to accept Legislative Services Attorney Donna Budnick's verbal and written report as presented on August 23, 2018.

16. General Counsel: Wells Fargo Treasury Management Pricing legal review.

Motion to accept General Counsel Jim Bransky's verbal report as presented on August 23, 2018.

e. Legislative Office Manager

Motion to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on August 23, 2018.

17. Corporate Charters and/or Board Updates:

- a. Traditional Tribal Burial Board
- b. Odawa Economic Development Management, Inc.
- c. Ziibimijwang, Inc.
- d. Gaming Enterprise Board

18. Tribal Council Action Items:

- a. Motions
 - i. Motion to approve the Policy and Procedure for Selection of Board Members.
 - ii. Motion to approve Tribal Council attendance at the National Congress of American Indians 75th Annual Convention in Denver Colorado October 21-26, 2018.
 - iii. Motion to approve Certified Motion # 082318-01 Funding Renewal from the U.S. Department of Health and Human Services, Indian Health Service, Little Traverse Bay Bands of Odawa Indians FY 2018 Annual Funding Agreement, Mod 18-1 Funding Increase.
 - iv. Motion to approve Certified Motion # 082318-02 Funding from the United States Department of the Interior, Bureau of Indian Affairs, P.L.-638 Annual Funding Agreement, 2018 Law Enforcement Annual Contract, Funding Increase.
 - v. Motion to approve Certified Motion # 082318-03 Request to accept funds from the Administration for Children and Families, FY 2017-2019 Child Care Development Fund, FY 2018 Funding Increase.
 - vi. Motion to approve October 24-25, 2018 travel expenditures for Mark C. Bishop, Director of the Michigan Department of Civil Rights Public Affairs Division, Strategic Operations/Community Engagement to facilitate training for all Legislative Branch staff, Tribal Council, Gaming Board and Corporate Charter Board Members in the areas of sexual harassment and discrimination awareness, and the employee benefit of legal services provided by Michigan Indian Legal Services.
 - vii. Motion for consideration to approve Tribal Council Certified Motion # 082318-04 Ad-Hoc Tribal Council Housing Committee.
 - viii. Motion to post Amendment to Waganakising Odawak Statute 2009-007 Land Use, Building Regulation, and Zoning Statute to the Legislative Calendar in the Odawa Register.
 - ix. Motion to remove LEG-214 Department Appeals Board from the Legislative Calendar.

- x. Motion to approve Citizenship List A, Eligible for Citizenship dated August 22, 2018 for a total of 4.
- xi. Motion to approve Citizenship List B, Declination (Ineligible) dated August 22, 2018 for a total of 1.

b. Roll Call Votes

- i. Motion to adopt Tribal Resolution # 082318-01 Re-Appropriation of the Odawa Economic Development Management, Inc. (OEDMI) Line of Credit.
- ii. Motion to pass the Contracting Statute.
- iii. Motion to pass Ethics for All Levels of Tribal Government Statute.
- iv. Motion to pass Constitutionally Mandated Rules of Conduct for All Levels of Tribal Government.
- v. Motion to pass the Contracting Statute.
- vi.

15. Other Items of Business:

- a.

Adjournment

Next Scheduled Meeting
Thursday, September 13, 2018 at 9:00 a.m.